

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SAFETY STAR, LLC, a Missouri limited  
liability company,

Plaintiff,

v.

APTIBYTE, LLC, a Washington limited  
liability company,

Defendant.

Case No. 2:23-cv-01399-BHS

[PROPOSED] ORDER GRANTING  
DEFENDANT APTIBYTE, LLC'S  
MOTION FOR FEES AND A STAY  
PURSUANT TO FED. R. CIV. P. 41(d)

THIS MATTER came before the Court on Defendant Aptibyte, LLC's Motion for Fees and a Stay Pursuant to FED. R. CIV. P. 41(d). The Court, having considered the Motion, any response and/or reply, the record herein, and being fully advised in the premises, hereby GRANTS the Motion and ORDERS as follows:

1. Plaintiff Safety Star, LLC is hereby ordered to pay Defendant Aptibyte, LLC a total of \$36,195 in attorneys' fees incurred in defending against Safety Star's first-filed action – *Safety Star, LLC v. Aptibyte, LLC*, No. 3:23-cv-05440-DGE (W.D. Wash.) – which raised the same operative allegations and alleged some of the same claims against Aptibyte.

2. This action, including all pending deadlines, is hereby stayed until such time as the parties provide notice to the Court that the payment specified in paragraph 1 has been made by Safety Star to Aptibyte.

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1 IT IS SO ORDERED.

2 Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

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4 \_\_\_\_\_  
5 Benjamin H. Settle  
6 United States District Judge

7 Presented by:  
8 FOCAL PLLC

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